

Joint Registrar (J) (Budget)

May kindly see the online application of Sri Jeetendra Mishra, Additional District & Sessions Judge, FTC, Mirzapur regarding grant of permission for publication of a Book titled "Shakti Soochna Ki". It shall be in Hindi.

In his application, Sri Jeetendra Mishra has stated that he has written a book in Hindi language on the subject of Right to Information to make public & public information officers aware. Writing has been done. It is also to be informed that no seal or currency of the Government of U.P. or Government of India will be used in the above proposed book. He will not use his title name with his name as a writer and he will be responsible for the comments and thoughts expressed in the book. It is to be made aware that the proposed book is not related to the government or its policies. Moreover, he is of the view that no such facts or opinions shall be disclosed in the proposed book, which states any adverse thing against the State Government or the Government of India or any other local government. This book will be in Hindi language. Therefore, the Honorable Court is requested to grant permission to publish the above mentioned book.

In this connection, it is submitted that such permission to a Government servant may be accorded subject to the conditions laid down in G.O. No. O-3143/ II-B-1968, dated 11.10.1968, as reproduced below: -

(1) The book does not bear the imprimatur of Government

(2) The author's name appears on the first page of the book without his official designation. There may however, be no objection to the official designation to be given on the dust cover where the author is introduced to the public.

(3) The author gives a statement under his name on the first page of the book or at any other suitable place, that the author's views and comments in the book are entirely the responsibility of the author and Government are in no way concerned with the publication of the book.

(4) The author should also ensure that the; book does not contain any statement of fact or opinion which has any adverse criticism of any current or recent policy or action of the State Government or Central Government or Government of any other state or local authority.

(5) Government servants can be permitted to accept royalty both in lump sum or on a continuing basis on the sale proceeds of the book written by them, proceeds of the book written by them, provided that if:-

(a) (i) the book is written solely with the aid of the knowledge acquired in the course of service; or.

(ii) the book is a mere compilation of Government rules, regulations or procedures; the author should be required, unless the Governor, by the special order, otherwise directs, to credit to the general revenues one-third of the income if it is in excess of Rs.250.00 or if the income is a recurring one, it is in excess of Rs.250.00 per annum.

(b) (i) the book is written with the aid of knowledge acquired by the Government servant in the course of his service, but is not a mere compilation of Government rules, regulations or procedure, but reveals the author's scholarly study of the subject; or

(ii) the work neither has nor is likely to have any connection with the author's official position; no part of the income recurring or non-recurring derived by him from the sale proceeds or royalties of the book need be credited to the general revenues.

It is further submitted that as Sri Jeetendra Mishra has already submitted declaration that he will abide by the conditions laid down in the O.M./ G.O no. O-3143/ II-B-1968 dated 11.10.1968, his case may be considered, but, acceptance of the request of the officer to get published the aforesaid book is on discretion of the Court. It is also pertinent to mention here that on asking about the title of his said book, the officer has submitted the same, details of which can be seen as attachments.

Under the facts and circumstances, if approved, the file be laid before Hon'ble Mr. Justice Pritinker Diwaker, Nominated Judge for the purpose, for His Lordship's kind perusal and if His Lordship approves, Sri Jeetendra Mishra, Additional District & Sessions Judge, FTC, Mirzapur be granted permission for publication of a Book in Hindi Language "Shakti Soochna Ki" as requested, subject to the conditions of G.O. No. O-3143/ II-B-1968, dated 11.12.1968?

Munmun Narang R.O.

Mohd. Arshad A.R.

30.07.2021

Hon'ble Mr. Justice Pritinker Diwaker,

Nominated Judge

Submitted for kind perusal & order

Joint Registrar (J) (Budget)

